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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA
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7 CHARLES MORRIS,

8 Plaintiff,

9 v.

10 ROMEO ARANAS, et al.,

11 Defendants.
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Case No. 3:18-CV-0310-RCJ-CLB

ORDER

13 Currently before the court is a document Plaintiff filed entitled "Verification" in which
14 is difficult to understand. Plaintiff states he believes certain records were missing from
15 his medical file and/or is requesting an additional period for discovery. (ECF No. 62).
16 Defendants responded that no documents were removed Plaintiff's medical file and they
17 oppose any further extension of discovery. (ECF No. 63). Plaintiff replied (ECF No. 64).
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19 The first scheduling order in this case was issued in March 2020 with a discovery
20 deadline of June 22, 2020. (ECF No. 18). Thereafter, discovery was extended three times
21 to April 7, 2021. (ECF No. 21, 39, & 51). Defendants have also received a further
22 extension of time to June 21, 2021 to file a dispositive motion. (ECF No. 61).
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24 Pursuant to Local Rule 26-3, a motion or stipulation to extend a deadline set forth
25 in a discovery plan must be received by the court no later than 21 days before the
26 expiration of the subject deadline. A request made within 21 days of the subject deadline
27 must be supported by a showing of good cause. A request made after the expiration of
28 the subject deadline will not be granted unless the movant also demonstrates that the

1 failure to act was the result of excusable neglect. Plaintiff's motion was filed 49 days after
2 the close of discovery (ECF No. 62). Plaintiff states in his motion that "somewhere
3 something went wrong and I was never done with my discovery." (ECF No. 62). Plaintiff
4 further alludes to issues surrounding the review of his medical records and/or potential
5 missing records after his records review on "the 13th of May 2021." (*Id.*) Plaintiff was
6 granted an extraordinary amount of time – over one year – to complete discovery (ECF
7 Nos. 18, 21, 39, & 51).¹ Plaintiff has shown neither good cause nor excusable neglect.
8 He has shown only a lack of diligence on his part to complete discovery in the one-year
9 time period granted to him. To the extent Plaintiff is asking to reopen discovery which
10 closed on April 7, 2021, Plaintiff's request is **DENIED**.

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13 To the extent Plaintiff seeks a further review of his medical records, Plaintiff may
14 review his medical records in accordance with standard prison policy and will be permitted
15 to review all medical record exhibits that may be attached to any motion for summary
16 judgment that is filed. While medical record exhibits will be sealed on the court's public
17 docket, Plaintiff shall be provided with any medical record exhibits, and shall be permitted
18 to keep those medical records in his cell for the purpose of responding to any dispositive
19 motion that may be filed.

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22 **DATED:** June 22, 2021.

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UNITED STATES MAGISTRATE JUDGE

¹ Incarcerated Plaintiffs are routinely granted only 90 days to complete discovery. Discovery periods longer than 180 days require special scheduling review. LR 26-1(b)(1).